

REMARKS

Claims 1-18 are all the claims pending in the application. In view of the foregoing amendments and following remarks, applicant respectfully requests withdrawal of the rejections, and allowance of the claims.

Claims 1-8, 17 and 18 stand rejected based on the Examiner's proposed combination of Adiwoso and Schiff, claims 9 and 10 stand rejected based on the Examiner's proposed combination of Adiwoso, Schiff and Hreha, claims 11-14 stand rejected based on the Examiner's proposed combination Adiwoso, Schiff and Setoyama, and claims 15 and 16 stand rejected based on the Examiner's proposed combination of Adiwoso, Schiff and Sharon.

As acknowledged by the Examiner, Adiwoso fails to disclose or suggest "common means of burst synchronization such that the transmission rate in a downlink direction from the satellite is a whole multiple of a clock reference of said network" and "a period of the downlink frame is equal to a period of the uplink frame", as recited in independent claims 1 and 5. Further, the Examiner admits that Adiwoso fails to disclose "different uplink channels from a service provider and a user are inserted into a downlink signal in a synchronous manner", as recited in claims 1 and 5. To overcome these admitted deficiencies with respect to this claim limitation, the Examiner has proposed to combine Schiff with Adiwoso.

With respect to foregoing features as recited in independent claims 1 and 5, the Examiner refers to column 3, lines 1-5, 19-22 and 55-58 as disclosing this claimed feature. However, based on applicant's review of the cited passages of Adiwoso, applicant respectfully disagrees with the Examiner's position.

At column 3, lines 1-5, Adiwoso discloses that a transmission frame of one of the carriers in FIG. 1 may be 20 msec long. Further, Adiwoso notes that the frame comprises sequential

bursts of data from each of the N stations that share an uplink carrier. Applicant respectfully submits that this passage is silent with regard to *the insertion of different uplink channels from a user and a service provider into a downlink signal in a synchronous manner*, as required by claims 1 and 5.

At column 3, lines 19-22, Adiwoso discloses that with minor modification, another earth station could serve as a master station. The Examiner asserts that it would have been obvious to one skilled in the art at the time of the invention to interpret the master station as the provider and the other stations as the user. Applicant respectfully submits that this passage is silent with regard to the insertion of different *uplink channels* from a user and a service provider into a *downlink signal* in a *synchronous manner*, as required by claims 1 and 5.

At column 3, lines 55-58, Adiwoso discloses that the maximum number of the count equals the number of bits in the downlink transmission frame, i.e., the data rate times the frame time. Applicant respectfully submits that this passage is also silent with regard to *the insertion of different uplink channels from a user and a service provider into a downlink signal in a synchronous manner*, as required by claims 1 and 5.

Accordingly, applicant respectfully requests further clarification from the Examiner as to why the foregoing cited passages of Adiwoso would fairly teach or suggest the claimed features. Based on applicant's understanding of the level of ordinary skill in the art at the time of the invention, it is submitted that one of ordinary skill would not have combined Adiwoso and Schiff as suggested by the Examiner, but would not have combined the references, for at least the reasons explained herein. The foregoing citations with respect to the insertion of the different uplink channels into a downlink signal in a synchronous manner is disclosed or suggested in the

cited art. For example but not by way of limitation, applicant respectfully submits that Adiwoso is silent with respect to the manner of insertion of an uplink channel into a downlink signal.

Applicant respectfully maintains that the Examiner has not established a *prima facie* case of obviousness, because the proposed combination of Schiff and Adiwoso is improper. More specifically, applicant respectfully submits that Adiwoso and Schiff teach away from one another with respect to a critical feature of the claimed invention, as explained below.

Applicant respectfully submits that by teaching asymmetrical links, Adiwoso teaches away from the purported symmetrical links of Schiff. The Examiner has proposed to combine Schiff with Adiwoso for this particular feature, and the Examiner asserts that one skilled in the art at the time of the invention would have been motivated to make such a combination based on more efficient use of bandwidth.

Applicant respectfully disagrees with the Examiner's position, and instead respectfully submits that one skilled in the art at the time of the invention would have viewed Adiwoso as teaching that *asymmetry* is beneficial for optimum use of resources. If one skilled in the art at the time of the invention was then presented with Schiff, applicant respectfully submits that the person skilled in the art would have rejected the *symmetry* of Schiff, because Schiff teaches away from the optimum usage of resources that is taught by Adiwoso.

Separately, applicant respectfully submits that Adiwoso also teaches away from the presently claimed invention, for at least the reasons discussed above.

Accordingly, applicant respectfully submits that the Examiner has failed to establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a). For at least the foregoing reasons, applicant respectfully submits that the Examiner's proposed combination of Adiwoso and Schiff

is improper, and thus, applicant respectfully requests withdrawal of the rejection, and allowance of the claims.

Additionally, applicant respectfully submits that the dependent claims are allowable by virtue of their dependency from independent claims 1 or 5, which are believed to be allowable for at least the reasons discussed above.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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